

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

TIDEWATER BARGE LINES, INC.,)
as demise owner of the barge BIG BIN,)
)
Plaintiff,)

Case No. 03-1225-ST

vs.)

ORDER

In a cause for exoneration from or)
limitation of liability.)
_____)

CP SHIPS, LTD., ITALIA di)
NAVIGAZIONE, S.p.A, CONTSHIP)
CONTAINER LINES, LTD.,)
AUSTRALIA-NEW ZEALAND DIRECT)
LINES, and TMM LINES, LTD.,)
)

Claimants/Third-Party Plaintiffs,)
)

vs.)
)

THE PORT OF LEWISTON, an Idaho)
municipal corporation,)
)

Third-Party Defendant,)

and)
)
THE PORT OF PORTLAND, an Oregon)
municipal corporation, and MARINE)
TERMINALS CORPORATION, a Nevada)
corporation,)
)
Claimants/Third-Party Defendants.)
_____)
)
THE PORT OF PORTLAND, an Oregon)
municipal corporation, and MARINE)
TERMINALS CORPORATION, a Nevada)
corporation,)
)
Third-Party Defendants/)
Fourth-Party Plaintiffs,)
)
vs.)
)
SANDRA K. RUSSELL, as owner of the)
barge BIG BIN,)
)
Fourth-Party Defendant.)
_____)

KING, Judge:

The Honorable Janice M. Stewart, United States Magistrate Judge, filed Findings and Recommendation on August 8, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2nd 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#135).

IT IS HEREBY ORDERED that Port and MPC's motion for Summary Judgment (#102)
is DENIED.

Dated this 6th day of September, 2005.

/s/ Garr M. King
Garr M. King
United States District Judge